



MINUTES OF THE COMMON COUNCIL

TUESDAY, OCTOBER 17, 2017, 7:00 P.M.

COUNCIL CHAMBERS

ROOM 203, CITY HALL

Roll call: Mayor James J. Schmitt, City Clerk Kris A. Teske, City Attorney Vanessa Chavez. Alderpersons: B. Dorff, T. DeWane, A. Nicholson, W. Galvin, D. Nennig, J. Moore, R. Scannell, C. Wery, M. Steuer, J. Vander Leest, T. Sladek. Excused: None. Tardy: G. Zima.

Pledge of Allegiance.

Mayor Schmitt led the invocation.

Moved by Ald. Nicholson, seconded by Ald. DeWane to approve the minutes of the October 3, 2017, meeting. Motion carried.

Moved by Ald. Scannell, seconded by Ald. Dorff to approve the agenda. Motion carried.

REPORT BY THE MAYOR

The Mayor announced that the Joint Finance/Personnel Committee meeting will be on November 7 at 3:00 P.M. and the Council/Budget meeting will be on November 14 at 4:30 P.M.

The Salvation Army is looking for people to ring bells. You can sign up online at RingBells.org.

PUBLIC HEARINGS

General Ordinance No. 16-17

An ordinance amending Section 13-2013(I)(2) of the code relating to mitigation of multiple message signs.

No one appeared.

Planning Ordinance No. 06-17

An ordinance amending the Official City Map to approve a plat of right-of-way for Erie Road from East Mason Street to Padi-Wood Lane.

No one appeared.

Moved by Ald. Scannell, seconded by Ald. Nennig to suspend the rules for the purpose of adopting the ordinances with one roll call vote. Motion carried.

APPOINTMENT

Green Bay Public Arts Commission

Matt Buchanan, Term to expire: September 1, 2020

Moved by Ald. Nicholson, seconded by Ald. Dorff to confirm the appointment. Motion carried.

PETITIONS & COMMUNICATIONS

HISTORIC PRESREVATION COMMISSION AND LAW DEPARTMENT

Request by Ald. Steuer to draft a resolution to urge the President of the United States and the United States Congress to continue the federal historic tax credit program.

IMPROVEMENT & SERVICE COMMITTEE

Application for a Concrete Sidewalk Builder's License by Fischer Concrete.

Application for a Tree & Brush Trimmer License by Brickyard Contracts.

PLAN COMMISSION

Request by Ald. DeWane to discuss with possible action the sidewalk ordinances.

PROTECTION & WELFARE COMMITTEE

Notice of the change of agent for Funke's BC's, LLC at 617 Lime Kiln Road.

Application for a "Class B" Combination License by Donald Rouse at 700 Bodart Street (currently Roundup Saloon).

Application for a "Class B" Combination License by Sunny's Restaurant, Inc. at 875 Lombardi Avenue (currently Leatherhead Brewing Co.).

Application for an available "Class B" Combination License by Rinconcito Hondureno, Inc. at 805 Klaus Street.

Application for a "Class A" Liquor License by Singhs C Store 2, Inc. at 952 W. Mason Street. (Currently has beer only.)

Appeal by Ronald Shebuski to the denial of his Public Vehicle Operator License application.

Appeal by Nicole Skenandore to the denial of her Operator License application.

Request by Ald. Nicholson to review the implementation of a fee for dog permits.

TRAFFIC, BICYCLE & PEDESTRIAN COMMISSION

Request by Ald. Vander Leest for "Children at Play" signs on Beech Tree Drive, south of Ninth Street down the hill because of the number of small children on the block.

Moved by Ald. Scannell, seconded by Ald. Sladek to refer the petitions and communications to the appropriate committee or commission. Motion carried.

REPORTS FOR COUNCIL ACTION

REPORT OF THE PARK COMMITTEE

October 17, 2017

The Park Committee, having met on Wednesday, October 11, 2017, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the request by Optimist Club of Green Bay and the Green Bay East Side Baseball League to donate dugouts, batting cages and bleacher canopies at East River Optimist Park contingent upon the following:
 - All costs are the responsibility of the Optimist Club of Green Bay and the Green Bay East Side Baseball League;

- All proper permits, insurance and hold harmless agreements being obtained;
 - All materials, supplies and construction methods will meet City building code requirements;
 - Final approval of the plans by Park staff;
 - Once installed, it becomes City property;
 - The City is not responsible to repair or replace the fabric canopies.
2. To approve the request by the Green Bay West Side Youth Baseball League to donate bleachers and pitching bullpens at two ball fields at Colburn Park contingent upon:
 - All costs are the responsibility of the Green Bay West Side Youth Baseball League;
 - All proper permits, insurance and hold harmless agreements being obtained;
 - All materials, supplies and construction methods will meet City building code requirements;
 - Final approval of the plans by Park staff;
 - Once installed, it becomes City property.
 3. To direct staff to work with the Planning Department to prepare a report summarizing what recommendations have been implemented / not implemented in the "Green Bay Wisconsin Comprehensive Waterfront Plan 1995" and present it at a future Park Committee meeting.
 4. To approve the request by Charter Communications for a utility easement through the Fox River Trail Greenway near Stuart Street, contingent upon staff and Law Department review and approval of the easement.
 5. To approve the request by Wisconsin Public Service for a utility easement at Beaver Dam Park for the electric service to the new ballfields, contingent upon staff and Law Department review and approval of the easement.
 6. To approve the request by Brown County for a utility easement to install fiber optic cable across the East River near Kurtz Avenue, contingent upon staff and Law Department review and approval of the easement.
 7. To authorize staff to hire Patrick Engineering to complete the engineering necessary for the installation of the new Ferris wheel at Bay Beach Amusement Park, to be paid for by the Friends of Bay Beach.
 8. To approve the Eisenhower Park and East High School property trade agreement with the Green Bay School District contingent upon:
 - The Law Department review, approval and execution of the Property Trade agreement with the Green Bay School District;

- The approval and execution of the revised shared facility use agreement between the City of Green Bay and the Green Bay School District;
- The property trade for the Eisenhower Park and East High School will occur at the same time.

Moved by Ald. Scannell, seconded by Ald. Nennig to adopt the report. Motion carried.

Report of the Green Bay Plan Commission October 17, 2017

The Green Bay Plan Commission, having met on Monday, October 9, 2017, considered all matters on its agenda and wishes to report and recommend the following:

1. To refer to the Law Department a request by Ald. Chris Wery that due to a new (or revised) state law, ascertain what changes may be needed to the Short Term Rental ordinance.
2. To amend Area Development Plan (ADP) 41, Crestwood Springs Court.
3. To approve the Downtown Green Bay, Inc. 2018 Business Improvement District Operating Plan.
4. To approve the Olde Main Street, Inc. 2018 Business Improvement District Operating Plan.
5. To approve the On Broadway, Inc. 2018 Business Improvement District Operating Plan.
6. To approve the Military Avenue Business Association 2018 Business Improvement District Operating Plan.

Moved by Ald. Nennig, seconded by Ald. Scannell to adopt the report. Motion carried.

REPORT OF THE GREEN BAY PUBLIC ARTS COMMISSION October 17, 2017

The members of the Green Bay Public Art Commission (GBPAC), having met on Wednesday, September 27, 2017, considered all matters on its agenda and wish to report and recommend the following:

1. To hold discussion on Brian Eichinger's Rotating Arts Program application.
2. To revise the Rotating Arts Program budget to account for 7 sculpture pads and increase the stipend amount to \$500.

3. To hold discussion on amending the GBPAC ordinance to include rules on liaisons.
4. To recommend M. Buchanan to the Mayor's Office for the GBPAC commission member position.

Moved by Ald. Scannell, seconded by Ald. Galvin to adopt the report. Motion carried.

REPORT OF THE GREEN BAY REDEVELOPMENT AUTHORITY

October 17, 2017

The Green Bay Redevelopment Authority, having met on Tuesday, October 10, 2017, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve Development Agreement with Erie Road Properties for Nature's Way Development at 954 Erie Road (Parcel 21-171-2), 1024 Erie Road (Parcel 21-171-4), 926 Erie Road (Parcel 21-171), and 1038 Erie Rd (Parcel 21-171-1), subject to minor legal and technical changes.
2. To approve Development Agreement with the City of Green Bay and the Redevelopment Authority of the City of Green Bay for The Shipyard / Outdoor Events Center at 100 W. Mason St., 515 S. Broadway, 517 S. Broadway, 525 S. Broadway, 531 S. Broadway, S. Broadway, 613 S. Broadway, S. Pearl St., 505 S. Broadway, 511-513 S. Broadway, 239 Arndt St., 101 Bridge St., 119 Bridge St., 401 S. Broadway, and S. Broadway (Parcels 2-78, 2-70, 2-71, 2-76, 2-77, 2-107, 2-109, 2-945, 2-946, 2-949-A, 3-554-A, 3-551, 3-556, 3-568, and 3-568-1), subject to minor legal and technical changes.
3. To refer Management Agreement with Broadway Events, LLC for the Outdoor Events Center at 100 W. Mason Street (Tax Parcel 2-78) back to staff for further negotiations.

Moved by Ald. Scannell, seconded by Ald. Dorff to adopt the report with the exception of Items #1 & #2. Motion carried.

Moved by Ald. Scannell, seconded by Ald. Moore to adopt Item #1.

Moved by Ald. Sladek, seconded by Ald. Scannell to amend Item #1 by deleting "\$3,000,000" in Section III. TAX INCREMENT FINANCING, Section C. Limitations, 2. Tax Incentive Cap and replacing it with "\$3,400,000 inclusive of property transfers".

Motion carried.

Moved by Ald. Moore, seconded by Ald. Scannell to adopt Item #1 as amended. Motion carried.

Moved by Ald. Moore, seconded by Ald. Scannell to approve the Development Agreement with the City of Green Bay and the Redevelopment Authority of the City of Green Bay for the Shipyard outdoor event center contingent upon a management

agreement being approved by both City and RDA. RDA to execute upon City Council's final approval.

Moved by Ald. Zima, seconded by Ald. DeWane to refer Item #2 to the Finance Committee.

Roll call: Ayes: DeWane, Nicholson, Nennig, Zima, Vander Leest, Sladek. Noes: Dorff, Galvin, Moore, Scannell, Wery, Steuer. Motion tied with the Mayor casting the deciding no vote. Motion failed.

Moved by Ald. Moore, seconded by Ald. Zima to amend Section D1. Outdoor Events Center ("Stadium"): by adding "which shall be consented to by the City Council." Motion carried.

Moved by Ald. Moore, seconded by Ald. Zima to amend Section V. CONDITIONS PRECEDENT TO OBLIGATIONS OF RDA, Section B. Other Agreements by replacing "either" with "both and "or" with "and" and adding "which shall be consented to by the City Council." Motion carried.

Moved by Ald. Zima, seconded by Ald. Wery to amend Section III. FINANCING, C. Revenues, 1. Operator Lease by referring everything after "twenty (20) years" to the deliberation of the management agreement. Motion carried.

Moved by Ald. Moore, seconded by Ald. Scannell to adopt Item #2 as amended.

Roll call: Ayes: Dorff, DeWane, Galvin, Moore, Scannell, Wery, Zima, Steuer, Sladek. Noes: Nicholson, Nennig, Vander Leest. Motion carried.

REPORT OF THE FINANCE COMMITTEE October 17, 2017

The Finance Committee having met on Tuesday, October 10, 2017, considered all matters on its agenda and wishes to report and recommends the following:

1. To approve the resolution updating financial institutions the City does business with.
2. To approve the resolution concerning dark stores and have it executed by the Mayor and sent to all 133 State Representatives and the Governor's Office.
3. To approve the resolution to borrow from the Trust Funds of State of Wisconsin the sum of \$500,000 for the purpose of financing neighborhood development projects. (Council approved the utilization of the funds on September 19, 2017).
4. To receive and place on file the report by the Finance Director.

Moved by Ald. Nicholson, seconded by Ald. Scannell to adopt the report. Motion carried.

REPORT OF THE IMPROVEMENT AND SERVICE COMMITTEE October 17, 2017

The Improvement and Service Committee, having met on October 11, 2017 considered all matters on its agenda and wishes to report and recommend the following:

1. To hold until the next Improvement and Service Committee meeting the request on behalf of property owners within the Legends District to restrict parking Day of Packers Game with a recommendation from the Traffic, Bicycle, and Pedestrian Commission to consider sidewalk installation within the Legends District.
2. To hold the request by Ald. Steuer to look into the possibility of the Fire Department selling their property at 130 N. Henry Street, with the further possibility of combining the Fire Department garage with the west side Department of Public Works garage.
3. To hold for one month the request by Ald. Zima that the City consider providing an opening on the east and west sides of the West Mason Street Bridge to allow the possibility of a turnaround for traffic when the bridge is up for an extended period of time similar to the openings on the Main Street (Nitschke) Bridge.
4. To approve request by the Department of Public Works to enter into a two-party agreement with a consultant for design services associated with the reconstruction of Hillcrest Road from West Mason Street to Haven Place and resurfacing of Haven Place from Hillcrest Road to City limits.
5. To approve request by Wisconsin Public Service Corporation for a Gas Easement at the northeast corner of Finger Road and S. Grandview Road (Parcel 21-22-1).

Moved by Ald. Scannell, seconded by Ald. Moore to adopt the report. Motion carried.

REPORT OF THE PERSONNEL COMMITTEE October 17, 2017

The Personnel Committee, having met on Tuesday, September 26, 2017 considered all matters on its agenda and reports and recommends the following:

3. To return to two Committee meetings and two City Council meetings per month, for the months of June, July, August and September.

Held at the October 3 Meeting

Moved by Ald. DeWane, seconded by Ald. Scannell to adopt the report. Motion carried.

REPORT OF THE PERSONNEL COMMITTEE

October 17, 2017

The Personnel Committee, having met on Tuesday, October 10, 2017 considered all matters on its agenda and reports and recommends the following:

1. To approve request by Ald. Scannell to change the procedure of Council to handle committee reports by using a consent agenda.
2. To hold the request by Ald. Wery to review and determine/or set a City policy for minutes (written or other) of any City meetings as deemed appropriate until the next Personnel Committee meeting.
3. To receive and place on file the report of Routine Personnel Actions for regular employees.
4. To approve out of state travel request for two Patrol K9 Officers to attend Patrol/Narcotics Canine Handler Training in Longford, Kansas, Nov. 6-10, 2017, December 3-16, 2017 and January 28 - February 10, 2018. Estimated cost of \$2,870 for transportation, room and board to be paid from Department K9 Funds (Bark and Blue).

Moved by Ald. Scannell, seconded by Ald. Moore to adopt the report with the exception of Item #1. Motion carried.

Moved by Ald. Moore, seconded by Ald. Sladek to adopt Item #1.

Moved by Ald. Scannell, seconded by Ald. Nicholson to refer Item #1 to staff. Motion carried.

PROTECTION & WELFARE COMMITTEE REPORT

October 17, 2017

The Protection & Welfare Committee, having met on Monday, October 9, 2017 considered all matters on the agenda and wishes to report and recommend the following:

1. To approve the change of agent for Sam's Club #8149 at 2470 W. Mason St.
2. To approve an application for a "Class B" Combination License by ZZQ's, LLC at 1035 Vanderbraak St. (Currently Eagles Club), with the approval of the proper authorities.
3. To approve an application for a "Class A" Liquor and a Class "A" Beer License by Kwik Trip, Inc. at 2400 University Ave., with the approval of the proper authorities.
4. To receive and place on file the update of the lead pipe removal project.

5. To receive quarterly reports from Water Utility as to the status of properties not entered yet for the lead pipe removal project.
6. To refer to staff to draft an ordinance for the prohibition of animals at special events with an exception to allow for the discretion of the special event holder in conjunction with the Special Events approval process.
7. To refer to staff to revise the ordinance to allow three dogs and change the designation of "lot" to "household" in the ordinance provisions. (Ald. Dorff, Ald. Scannell: yes; Ald. Zima: No).

Moved by Ald. Scannell, seconded by Ald. Galvin to adopt the report with the exception of Item #7. Motion carried.

Moved by Ald. Scannell, seconded by Ald. Galvin to adopt Item #7.

Roll call: Ayes: Dorff, Galvin, Nennig, Scannell. Noes: DeWane, Nicholson, Moore, Wery, Zima, Steuer, Vander Leest, Sladek. Motion failed.

Moved by Ald. Moore, seconded by Ald. Wery to receive Item #7 and place it on file. Motion carried.

**REPORT OF THE PROTECTION AND WELFARE COMMITTEE
GRANTING OPERATOR LICENSES
October 17, 2017**

The Protection and Welfare Committee wishes to request that the following applications for Operator Licenses be granted.

Stipulations placed on licenses shall continue to be in effect.

OPERATOR LICENSES

Abts, Tiffany N
Bartnik, Fanni
Camacho-Lopez, Maria B
Chaney, Argentina J
Christensen, Kelly M
Cisler, Mary M
Doles, Noran W
Dorner, John P
Ehlen, Joni R
Elm, Howard K
Gerondale, Amanda J
Grajeda, Nora E
Haro Aguilar, Fabiola Del
Heintz, Aili V

Niemi, Matthew W
Ninham, Jackie L
Oelschlager, Brianna M
Oneil, Sarah E
Piechota, Matt F
Rajkowski, Leeann E
Schirmacher, Dawn M
Schmidt, Amber N
Schultz, Mary L
Utsinger, Kaitlynn A
Vandavelde, Jenny L
Weber, Amanda J
Wiebe, Matthew J
Williams, Sherrie J

Heise, Amy L
Heling, Joelle A
Klubertanz, Casandra J
Komp, Jonathan D
Kuntze, Cynthia E
Kussow, Kelly L.
Lange, Jordan C
Laredo, Elva A
Leonhard, Michael S
Letter, Olivia C
Lofland, Christina R
Magana, Mariana
Maloney, Shanda M
Mc Ardle, Samantha J
Misikin, Tashawn A
Moreno, Cristal S
Murphy, David M

Zeleznik, Evan T
Zenz, Heather M.

Moved by Ald. Nicholson, seconded by Ald. Scannell to adopt the report. Motion carried.

RECEIVE & PLACE ON FILE

Municipal Court Report for September, 2017.

Building Project Report for September, 2017.

Moved by Ald. Scannell, seconded by Ald. Sladek to receive the reports and place them on file. Motion carried.

RESOLUTIONS

Moved by Ald. Scannell, seconded by Ald. Wery to suspend the rules for the purpose of adopting all of the resolutions with one roll call vote. Motion carried.

RESOLUTION APPROVING GAS EASEMENT AT NORTHEAST CORNER OF FINGER ROAD AND S. GRANDVIEW ROAD October 17, 2017

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

To approve request by Wisconsin Public Service Corporation for a Gas Easement at the northeast corner of Finger Road and S. Grandview Road (Parcel 21-22-1).

Adopted October 17, 2017

Approved October 18, 2017

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
City Clerk

Moved by Ald. Scannell, seconded by Ald. Galvin to adopt the resolution.

Roll call: Ayes: Dorff, DeWane, Nicholson, Galvin, Nennig, Moore, Scannell, Wery, Zima, Steuer, Vander Leest, Sladek. Noes: None. Motion carried.

**RESOLUTION APPROVING A RELOCATION ORDER FOR
ERIE ROAD FROM EAST MASON STREET TO PADI-WOOD LANE
OCTOBER 17, 2017**

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That the Common Council of Green Bay finds and determines that:

WHEREAS, the property establishing, laying out, widening, enlarging, extending, construction, reconstruction, improving, or maintaining a portion of a street/easement now designated as:

ERIE ROAD FROM EAST MASON STREET TO PADI-WOOD LANE

and roads or lands in and about and leading to same, requires certain relocation or changes and the acquisition of lands or interests in lands as shown on the map or copy thereof marked:

**PLAT OF RIGHT-OF-WAY REQUIRED FOR
“ERIE ROAD FROM EAST MASON STREET TO PADI-WOOD LANE”**

City of Green Bay, Brown County Wisconsin, dated October 17, 2017

pursuant to its authority under Section 62.22 and 62.23(10), Wisconsin Statutes,

NOW, THEREFORE, BE IT RESOLVED AND ORDERED THAT:

1. The said street/easement is hereby laid out and established to the lines and widths as shown on the said plat.
2. The required lands or interests in lands as shown in the plat shall be acquired in the name of the City of Green Bay.
3. This order supersedes and amends any previous order issued by the City of Green Bay.

Adopted October 17, 2017

Approved October 18, 2017

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
City Clerk

Moved by Ald. Scannell, seconded by Ald. Galvin to adopt the resolution.

Roll call: Ayes: Dorff, DeWane, Nicholson, Galvin, Nennig, Moore, Scannell, Wery, Zima, Steuer, Vander Leest, Sladek. Noes: None. Motion carried.

**RESOLUTION FOR STATE TRUST FUND LOAN
(Financing Neighborhood Redevelopment Projects)**

October 17, 2017

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

By the provisions of Sec. 24.66 of the Wisconsin Statutes, all municipalities may borrow money for such purposes in the manner prescribed; and

By the provisions of Chapter 24 of the Wisconsin Statutes, the Board of Commissioners of Public Lands of Wisconsin is authorized to make loans from the State Trust Funds to municipalities for such purposes. (Municipality as defined by Sec. 24.60(2) of the Wisconsin Statutes means a town, village, city, county, public inland lake

protection and rehabilitation district, town sanitary district created under Sec. 60.71 or 60.72, metropolitan sewerage district created under Sec. 200.05 or 200.23, joint sewerage system created under Sec. 281.43(4), school district or technical college district.)

THEREFORE, BE IT RESOLVED, that the City of Green Bay, in the County of Brown, Wisconsin, borrow from the Trust Funds of the State of Wisconsin the sum of Five Hundred Thousand and 00/100 Dollars (\$500,000.00) for the purpose of financing neighborhood redevelopment projects and for no other purpose.

The loan is to be payable within 10 years from the 15th day of March preceding the date the loan is made. The loan will be repaid in annual installments with interest at a rate of 3.50 percent per annum from the date of making the loan to the 15th day of March next and thereafter annually as provided by law.

RESOLVED FURTHER, that there shall be raised and there is levied upon all taxable property within the City of Green Bay, in the County of Brown, Wisconsin, a direct annual tax for the purpose of paying interest and principal on the loan as they become due.

RESOLVED FURTHER, that no money obtained by the City of Green Bay by such loan from the state be applied or paid out for any purpose except financing neighborhood redevelopment projects without the consent of the Board of Commissioners of Public Lands.

RESOLVED FURTHER, that in case the Board of Commissioners of Public Lands of Wisconsin agrees to make the loan, that the Mayor and Clerk of the City of Green Bay, in the County of Brown, Wisconsin, are authorized and empowered, in the name of the City, to execute and deliver to the Commission certificates of indebtedness, in such form as required by the Commission, for any sum of money that may be loaned to the City pursuant to this resolution. The Mayor and Clerk of the City will perform all necessary actions to fully carry out the provisions of Chapter 24, Wisconsin Statutes, and these resolutions.

RESOLVED FURTHER, that this preamble and these resolutions and the aye and no vote by which they were adopted, be recorded, and that the Clerk of this City forward this certified record, along with the application for the loan, to the Board of Commissioners of Public Lands of Wisconsin.

Adopted October 17, 2017

Approved October 18, 2017

James J. Schmitt
Mayor

Kris A. Teske
Clerk

Moved by Ald. Scannell, seconded by Ald. Galvin to adopt the resolution.

Roll call: Ayes: Dorff, DeWane, Nicholson, Galvin, Nennig, Moore, Scannell, Wery, Zima, Steuer, Vander Leest, Sladek. Noes: None. Motion carried.

**RESOLUTION ADOPTING THE
2018 OPERATING PLAN FOR
THE DOWNTOWN GREEN BAY, INC.,
BUSINESS IMPROVEMENT DISTRICT
(PP 17-03)**

October 17, 2017

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That, pursuant to the recommendation of the Green Bay Plan Commission at its meeting of October 9, 2017, the 2018 Operating Plan for the Downtown Green Bay, Inc., Business Improvement District, a copy of which is on file in the Clerk's Office, is hereby adopted.

Adopted October 17, 2017

Approved October 18, 2017

James J. Schmitt
Mayor

Kris A. Teske
Clerk

Moved by Ald. Scannell, seconded by Ald. Galvin to adopt the resolution.

Roll call: Ayes: Dorff, DeWane, Nicholson, Galvin, Nennig, Moore, Scannell, Wery, Zima, Steuer, Vander Leest, Sladek. Noes: None. Motion carried.

**RESOLUTION ADOPTING THE
2018 OPERATING PLAN FOR
THE OLDE MAIN STREET, INC.,
BUSINESS IMPROVEMENT DISTRICT**

(PP 17-04)

October 17, 2017

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That, pursuant to the recommendation of the Green Bay Plan Commission at its meeting of October 9, 2017, the 2018 Operating Plan for the Olde Main Street, Inc., Business Improvement District, a copy of which is on file in the Clerk's Office, is hereby adopted.

Adopted October 17, 2017

Approved October 18, 2017

James J. Schmitt
Mayor

Kris A. Teske
Clerk

Moved by Ald. Scannell, seconded by Ald. Galvin to adopt the resolution.

Roll call: Ayes: Dorff, DeWane, Nicholson, Galvin, Nennig, Moore, Scannell, Wery, Zima, Steuer, Vander Leest, Sladek. Noes: None. Motion carried.

**RESOLUTION ADOPTING THE
2018 OPERATING PLAN FOR
THE ON BROADWAY, INC.,
BUSINESS IMPROVEMENT DISTRICT
(PP 17-05)**

October 17, 2017

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That, pursuant to the recommendation of the Green Bay Plan Commission at its meeting of October 9, 2017, the 2018 Operating Plan for the On Broadway, Inc., Business Improvement District, a copy of which is on file in the Clerk's Office, is hereby adopted.

Adopted October 17, 2017

Approved October 18, 2017

James J. Schmitt
Mayor

Kris A. Teske
Clerk

Moved by Ald. Scannell, seconded by Ald. Galvin to adopt the resolution.
Roll call: Ayes: Dorff, DeWane, Nicholson, Galvin, Nennig, Moore, Scannell, Wery, Zima, Steuer, Vander Leest, Sladek. Noes: None. Motion carried.

**RESOLUTION ADOPTING THE
2018 OPERATING PLAN FOR
THE MILITARY AVENUE BUSINESS ASSOCIATION
BUSINESS IMPROVEMENT DISTRICT
(PP 17-06)**

October 17, 2017

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That, pursuant to the recommendation of the Green Bay Plan Commission at its meeting of October 9, 2017, the 2018 Operating Plan for the Military Avenue Business Association Business Improvement District, a copy of which is on file in the Clerk's Office, is hereby adopted.

Adopted October 17, 2017

Approved October 18, 2017

James J. Schmitt
Mayor

Kris A. Teske
Clerk

Moved by Ald. Scannell, seconded by Ald. Galvin to adopt the resolution.

Roll call: Ayes: Dorff, DeWane, Nicholson, Galvin, Nennig, Moore, Scannell, Wery, Zima, Steuer, Vander Leest, Sladek. Noes: None. Motion carried.

ORDINANCES - FIRST READING

GENERAL ORDINANCE NO. 17-17

AN ORDINANCE AMENDING SECTION 27.603(2), GREEN BAY MUNICIPAL CODE, RELATING TO WEAPONS IN THE CITY

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 27.603(2), of the Green Bay Municipal Code, is hereby amended as follows:

(2) BOW AND CROSSBOW. (**Amd. GO 17-17**; Amd. GO 3-14)

(a) Use and Discharge Prohibited. No person shall use or discharge an arrow from a bow or a bolt from a crossbow in the City.

(b) Exceptions. A bow and arrow or crossbow may be used under the following conditions:

1. As part of a supervised activity sponsored by a public or private institution of learning duly licensed by the State of Wisconsin.

2. At a licensed sportsmen's club, gallery, or range.
3. In conformity with the conditions of subsection (1)(b)4 or (1)(b)5.
4. While hunting at least ~~400~~ **50** yards from a building located on another person's land and only if discharging the arrow or bolt toward the ground.
5. While hunting with the permission of any person who owns a building within ~~400~~ **50** yards and only if discharging the arrow or bolt toward the ground.

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this _____ day of _____, 2017.

APPROVED:

Mayor

ATTEST:

Clerk

Moved by Ald. Scannell, seconded by Ald. Galvin to suspend the rules for the purpose of advancing the ordinance to the third reading. Motion carried.

Moved by Ald. Scannell, seconded by Ald. Galvin to advance the ordinance to the third reading. Motion carried.

PLANNING ORDINANCE NO. 7-17

**AN ORDINANCE
AMENDING THE OFFICIAL MAP OF THE
CITY OF GREEN BAY TO AMEND ADP 41 TO
EXTEND CRESTWOOD SPRINGS COURT
(OMA 17-03)**

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. The Official Map of the City of Green Bay, as created by Section 12.02, Green Bay Municipal Code, is hereby amended to amend Area Development Plan (ADP) 41 to extend Crestwood Springs Court, as depicted on a map attached hereto and made a part of this ordinance as though fully set forth herein.

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall not take effect until a public hearing is held thereon as provided by Section 12.03, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2017.

APPROVED:

Mayor

ATTEST:

Clerk

**LEGAL DESCRIPTION
PLANNING ORDINANCE NO. 7-17**

N1/2 OF LOT 23 SEC 32 T24N R20E & E 16 ACRES OF LOT 24 S32 T24N
R20E EX W 208.71 FT OF N 313.06 FT EX SUNSET PLAT & EX J8711-6 &
EX J13198-31 & EX 19 CSM 337

(Tax Parcel No. 6H-1249)

Moved by Ald. Scannell, seconded by Ald. Galvin to suspend the rules for the purpose of advancing the ordinance to the third reading. Motion carried.
Moved by Ald. Scannell, seconded by Ald. Galvin to advance the ordinance to the third reading. Motion carried.

ORDINANCES - THIRD READING
GENERAL ORDINANCE NO. 15-17

**AN ORDINANCE
AMENDING SECTION 29.208,
GREEN BAY MUNICIPAL CODE,
RELATING TO PARKING REGULATIONS**

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following 2-HOUR 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone:

ELIZABETH STREET, east side, from a point 65 feet north
of Cedar Street to Elm Street

SECTION 2. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following 2-HOUR 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone:

ELIZABETH STREET, east side, from a point 150 feet north
of Cedar Street to Elm Street

SECTION 3. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO PARKING zone:

ELIZABETH STREET, east side, from a point 65 feet north
of Cedar Street to a point 150 feet north of Cedar Street

SECTION 4. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 5. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this 17th day of October, 2017.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

Moved by Ald. Scannell, seconded by Ald. Wery to adopt the ordinance.
Roll call: Ayes: Dorff, DeWane, Nicholson, Galvin, Nennig, Moore, Scannell, Wery, Zima, Steuer, Vander Leest, Sladek. Noes: None. Motion carried.

GENERAL ORDINANCE NO. 16-17

**AN ORDINANCE AMENDING SECTION 13-2013(i)(2),
GREEN BAY MUNICIPAL CODE,
RELATING TO MITIGATION OF
MULTIPLE MESSAGE SIGNS**

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS
FOLLOWS:

SECTION 1. Section 13-2013(i)(2) Green Bay Municipal Code, is hereby amended as follows:

(i) Multiple message sign operation. (Amd. GO 13-09) Multiple message signs are permitted as a conditional use. To be considered for a conditional use permit, such signs must meet all regulations of this chapter and the following:

(1) Standards for multiple message signs.

- a. The transition time, or the time it takes to change the message (electronically, via louver rotation, or other means), shall be one second or less.
- b. The time the message remains in a fixed position shall be eight seconds or more, and movement or animation is prohibited.
- c. Audio speakers and all forms of pyrotechnics are prohibited.
- d. Electronic multiple message signs (digital billboards) shall be equipped with automatic dimming capability, and light produced by such signs shall

not exceed 0.3 foot candles over ambient light levels. The ambient light reading is taken at least 30 minutes past sunset with the sign turned off or displaying all black copy. The fully lit reading is taken with the sign displaying all white copy. Measurement of light levels should be taken perpendicular to the face of the sign, and the following distances should be used as guidelines to determine where to take measurements:

- i. 100 square foot or smaller sign to be measured 100 feet from source
 - ii. Greater than 100 to 350 square foot sign to be measured 150 feet from source
 - iii. Greater than 350 to 650 square foot sign to be measured 200 feet from source
 - iv. Greater than 650 to 700 square foot sign to be measured 250 feet from source
- e. Spill-over light exceeding 0.2 foot candles as measured at a residential property line is prohibited.

(2) Mitigation of multiple message signs. Since the maximum number of off-premise signs permitted in the City is fixed at the number in the current sign inventory, and because multiple message signs can display multiple messages, a new multiple message sign (whether new construction or sign replacement) shall be mitigated. In addition to meeting the requirements of subpar. (j), a new multiple message sign must earn at least 5 mitigation points per sign face. One or more existing billboards will be removed as part of the mitigation process.

- a. Mitigation points can be earned in the following ways. Note that points are assessed and required per sign face.
- i. Five (5) points per sign face for the removal of a billboard that is nonconforming due to location in the CBD, a natural area, or a historic district
 - ii. Four (4) points per sign face for the removal of any other nonconforming billboard
 - iii. Three (3) points per sign face for the removal of a conforming billboard that is capable in its existing structural condition of safely supporting a multiple message sign of the same area as the existing sign face
 - iv. Two (2) points per sign face for the removal of any other existing billboard that is not capable in its existing structural condition of safely supporting a multiple message sign of the same area as the existing sign face
 - v. One (1) additional point per sign face for the removal of a billboard visible from a street or highway with a functional classification of Interstate, Freeway, or Principal Arterial

- vii. No points are awarded for the replacement of an existing billboard (While a digital billboard may be approved where an existing static sign has been removed from a conforming location, this sign removal does not count toward the required mitigation points. The points must be obtained from other sign sites.)
- b. A mitigation plan shall be submitted for review by the Planning Department, and more than one new multiple message sign may be included in a single mitigation plan. The cumulative points earned for sign removal may be applied to multiple signs within a single mitigation plan and sign permit application. However, any excess points remaining are not carried over or “banked” for future applications. In other words, mitigation points will not be tracked beyond a single sign project which may involve multiple new signs. The reason for this is to avoid conflicts between mitigation points and the existing cap on the total number of allowable off-premise signs.
- c. If the cumulative result of a sign project and mitigation plan is a net reduction in signs, then the maximum allowable number of off-premise signs for the City as a whole will be reduced immediately. This means that signs removed under a mitigation plan can only be replaced with the multiple message sign(s) being mitigated. They cannot be replaced with other signs in the future.
- d. **Relocating an existing multiple message sign from one location to another within the City shall not require a mitigation plan, provided that such relocation does not result in an increase in the overall number of sign faces or structures (whether static or multiple message) located in the City. In lieu of a mitigation plan, the applicant shall remove three (3) existing billboard sign faces under the current billboard inventory as required in Chapter 13-2013(j). A conditional use permit is nevertheless required for the relocation or replacement of a billboard sign.**

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall not take effect until a public hearing is held thereon as provided by Section 13-204, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin this 17th day of October, 2017.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

Moved by Ald. Scannell, seconded by Ald. Dorff to adopt the ordinance.

Roll call: Ayes: Dorff, DeWane, Nicholson, Galvin, Nennig, Moore, Scannell, Wery, Zima, Steuer, Vander Leest, Sladek. Noes: None. Motion carried.

PLANNING ORDINANCE NO. 06-17

**AN ORDINANCE
AMENDING THE OFFICIAL MAP OF THE
CITY OF GREEN BAY TO APPROVE A PLAT OF RIGHT-OF-WAY
FOR ERIE ROAD FROM EAST MASON STREET TO PADI-WOOD LANE
(ROW 17-03)**

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS
FOLLOWS:

SECTION 1. The Official Map of the City of Green Bay, as created by Section 12.02, Green Bay Municipal Code, is hereby amended to establish the Plat of Right-of-Way required for Erie Road, as depicted on a map attached hereto and made a part of this ordinance as though fully set forth herein.

SECTION 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall not take effect until a public hearing is held thereon as provided by Section 12.03, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this 17th day of October, 2017.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

**DESCRIPTION OF PROPERTIES AFFECTED BY PLAT OF RIGHT-OF-WAY FOR
ERIE ROAD FROM EAST MASON STREET TO PADI-WOOD LANE**

Parcel 1 – Fee Title

Grantor: John R. Ver Boort

Grantee: City of Green Bay, a Wisconsin Municipal Corporation

Legal Description:

The Easterly 35.0 feet of that part of Brown County Document Number 186911, in the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, Section 11, Township 23 North, Range 21 East, City of Green Bay, Brown County, Wisconsin.

Except that part previously conveyed for street purposes.

Part of tax parcel number 21-171.

Parcel 1 – Temporary Limited Easement (TLE)

Grantor: John R. Ver Boort

Grantee: City of Green Bay, a Wisconsin Municipal Corporation

Legal Description:

The Westerly 10.0 feet of the Easterly 45.0 feet of Brown County Document Number 186911, in part of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, Section 11, Township 23 North, Range 21 East, City of Green Bay, Brown County, Wisconsin.

Parcel contains 4272 square feet of land more or less.

Part of tax parcel number 21-171.

Parcel 2 – Temporary Limited Easement (TLE)

Grantor: City of Green Bay, a Wisconsin Municipal Corporation

Grantee: City of Green Bay, a Wisconsin Municipal Corporation

Legal Description:

The Easterly 5.0 feet of Lot 2, Brown County Certified Survey Map Number 8656, as file in Volume 61 of Certified Survey Maps, Page 198, being part of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, Section 11, Township 23 North, Range 21 East, City of Green Bay, Brown County, Wisconsin.

Parcel contains 1518 square feet of land more or less.

Part of tax parcel number 21-171-2.

Parcel 3 – Temporary Limited Easement (TLE)

Grantor: City of Green Bay, a Wisconsin Municipal Corporation

Grantee: City of Green Bay, a Wisconsin Municipal Corporation

Legal Description:

The Easterly 5.0 feet of Lot 1, Brown County Certified Survey Map Number 8656, as file in Volume 61 of Certified Survey Maps, Page 198, being part of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, Section 11, Township 23 North, Range 21 East, City of Green Bay, Brown County, Wisconsin.

Parcel contains 2356 square feet of land more or less.

Part of tax parcel number 21-171-4.

Parcel 4 – Fee Title

Grantor: Dale R Ronsman and Rose Ronsman

Grantee: City of Green Bay, a Wisconsin Municipal Corporation

The East 35 feet of the South 117 feet of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, Section 11, Township 23 North, Range 21 East, City of Green Bay, Brown County, Wisconsin. Excepting therefrom that part previously conveyed for road purposes.

Parcel contains 1201 square feet of land more or less.

Part of tax parcel number 21-171-1.

Parcel 4 – Temporary Limited Easement (TLE)

Grantor: Dale R Ronsman and Rose Ronsman

Grantee: City of Green Bay, a Wisconsin Municipal Corporation

The West 5 feet of the East 40 feet of the South 117 feet of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, Section 11, Township 23 North, Range 21 East, City of Green Bay, Brown County, Wisconsin. Excepting therefrom that part previously conveyed for road purposes.

Parcel contains 1201 square feet of land more or less.

Part of tax parcel number 21-171-1.

Parcel 5 – Temporary Limited Easement (TLE)

Grantor: Dorothy M Zuidmulder

Grantee: City of Green Bay, a Wisconsin Municipal Corporation

Legal Description:

The Westerly 17.0 feet of the Easterly 41.75 feet of the North 200 feet of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, Section 11, Township 23 North, Range 21 East, City of Green Bay, Brown County, Wisconsin.

Parcel contains 3400 square feet / 0.078 acres of land more or less.

Part of tax parcel number 21-184.

Parcel 6 – Temporary Limited Easement (TLE)

Grantor: John J Bunker and Peter G Reines

Grantee: City of Green Bay, a Wisconsin Municipal Corporation

Legal Description:

The Westerly 5.0 feet of Lot 1, Brown County Certified Survey Map Number 2356, as file in Volume 11 of Certified Survey Maps, Page 41, being part of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, Section 12, Township 23 North, Range 21 East, City of Green Bay, Brown County, Wisconsin.

Parcel contains 1339 square feet of land more or less.

Part of tax parcel number 21-199-2.

Parcel 7 – Fee Title

Grantors: Pierquet Family Limited Partnership, a Wisconsin limited partnership;
Peters Family Limited Partnership;
Trustees of the Martin J. Kaster and Debra L. McGlaufflin Living Trust;
DMARHA, LLC a Wisconsin Limited Liability Company;
William J. Jauquet, Donald Jauquet and John Jauquet as Trustees of the
Claudia F. Jauquet Children's Trust;
Kaster Family LLC, a Wisconsin limited liability company

Grantee: City of Green Bay, a Wisconsin Municipal Corporation

Legal Description:

The Westerly 35.0 feet of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, Section 12, Township 23 North, Range 21 East, City of Green Bay, Brown County, Wisconsin.

Excepting Lot 1, Brown County Certified Survey Map Number 2356, as file in Volume 11 of Certified Survey Maps, Page 41, being part of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, Section 12, Township 23 North, Range 21 East, City of Green Bay, Brown County, Wisconsin.

Also excepting that part previously conveyed for street purposes.

Parcel contains 9769 square feet / 0.224 acres of land more or less.

Part of tax parcel number 21-199.

Parcel 7 – Temporary Limited Easement (TLE)

Grantors: Pierquet Family Limited Partnership, a Wisconsin limited partnership;
Peters Family Limited Partnership;
Trustees of the Martin J. Kaster and Debra L. McGlaufflin Living Trust;
DMARHA, LLC a Wisconsin Limited Liability Company;
William J. Jauquet, Donald Jauquet and John Jauquet as Trustees of the
Claudia F. Jauquet Children's Trust;
Kaster Family LLC, a Wisconsin limited liability company

Grantee: City of Green Bay, a Wisconsin Municipal Corporation

Legal Description:

The Easterly 10.0 feet of the Westerly 45.0 feet of the Northerly 180.0 feet of the Southerly 213 feet of the Southwest ¼ of the Northwest ¼, Section 12, Township 23 North, Range 21 East, City of Green Bay, Brown County, Wisconsin.

And

The Easterly 5 feet of the Westerly 40.0 feet of the Northerly 773.11 feet of the Southerly 986.11 feet of the Southwest ¼ of the Northwest ¼, Section 12, Township 23 North, Range 21 East, City of Green Bay, Brown County, Wisconsin.

Parcel contains 5665 square feet / 0.130 acres of land more or less.
Part of tax parcel number 21-199.

Parcel 8 – Temporary Limited Easement (TLE)

Grantor: Kelly L. Boucher and Linda A. Pagonis

Grantee: City of Green Bay, a Wisconsin Municipal Corporation

Legal Description:

The Easterly 20.0 feet Westerly 44.75 feet of the Southerly 170.0 feet of the Northerly 203.0 feet of the Northwest ¼ of the Southwest ¼, Section 12, Township 23 North, Range 21 East, City of Green Bay, Brown County, Wisconsin.

Parcel contains 3400 square feet / 0.078 acres of land more or less.
Part of tax parcel number 21-204-1.

Moved by Ald. Scannell, seconded by Ald. Dorff to adopt the ordinance.

Roll call: Ayes: Dorff, DeWane, Nicholson, Galvin, Nennig, Moore, Scannell, Wery, Zima, Steuer, Vander Leest, Sladek. Noes: None. Motion carried.

Moved by Ald. Scannell, seconded by Ald. Vander Leest to adjourn at 9:22 P.M. Motion carried.

Kris A. Teske
Green Bay City Clerk